

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND**

TRAEE DARAN LEE

Plaintiff,

v.

**QUEEN ANNE'S COUNTY,
MARYLAND, et al.,**

Defendants.

Case No.: 1:13-CV-00672-RDB

**PLAINTIFF'S OPPOSITION TO DEFENDANT QUEEN ANNE'S COUNTY,
MARYLAND'S MOTION TO DISMISS**

COMES NOW, Plaintiff Traee Daran Lee, by and through his attorney, Cary J. Hansel and the law firm of Joseph, Greenwald & Laake, P.A., opposes Defendant Queen Anne's County, Maryland's Motion to Dismiss, and as cause therefore states the following:

1. Plaintiff filed his original Complaint on March 4, 2013.
2. Before responding to the merits, Defendant Queen Anne's County, Maryland filed a Motion to Dismiss Plaintiff's Complaint on April 23, 2013, and Defendant State of Maryland filed a Motion to Dismiss Plaintiff's Complaint on April 23, 2013.
3. Upon reviewing the Defendants' Motions and the original Complaint, counsel for Plaintiff was persuaded that certain objectives advanced by the opposing parties may be well founded.
4. Plaintiff has prepared an Amended Complaint to cure the deficiencies. The proposed Amended Complaint is incorporated herein by reference.
5. "A party may amend its pleading once as a matter of course ... if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or

21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.” Fed. R. Civ. P. 15(a).

6. Plaintiff was served with Defendants’ Motions on April 23, 2013.

7. Plaintiff timely files this Amended Complaint within 21 days of service of Defendants’ Rule 12(b) Motions.

8. The Amended Complaint will moot the objections raised by Defendants and permit this case to move forward on the merits.

9. The Amended Complaint does not include Queen Anne’s County, Maryland as a Defendant.

10. Defendant Queen Anne’s County, Maryland’s Motion is now moot.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court dismiss Defendant Queen Anne’s County, Maryland’s Motion to Dismiss.

Dated: May 7, 2013

Respectfully submitted,

JOSEPH, GREENWALD & LAAKE, P.A.

/s/
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Counsel for Plaintiff Traee Daran Lee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of May 2013, a copy of the foregoing was served, by electronic filing upon:

John F. Breads, Jr., Esq.
Matthew D. Peter, Esq.
7225 Parkway Drive
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Counsel for Defendant Queen Anne's County, Maryland

Bradley J. Neitzel, Esq.
Assistant Attorney General
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Counsel for Defendant State of Maryland

/s/
Cary J. Hansel

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ORDER

UPON CONSIDERATION of Defendant's Motion to Dismiss and Plaintiff's opposition thereto, good cause having been shown, it is this _____ day of May 2013, by the United States District Court for the District of Maryland,

ORDERED, that Defendant Queen Anne's County, Maryland's Motion to Dismiss shall be denied in its entirety.

United States District Judge